



**PATENT**  
Attorney Docket Nos.: 00537/169002 and 073/US/PCT/US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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IN RE APPLICATION OF:

**Zheng Xin DONG *et al.***

APPLICATION NO.: **09/674,597**

FILED: **April 9, 2001**

FOR: **PTH2 RECEPTOR SELECTIVE  
COMPOUNDS**  
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EXAMINER: **WEGERT, Sandra L.**

ART UNIT: **1647**

**CERTIFICATE OF MAILING**

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner of Patents, PO Box 1450, Alexandria, VA 22313-1450.

Date of Deposit: January 23, 2004

Dawn M. Janelle

Mail Stop: Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

Responsive to the office action mailed August 28, 2003 (Paper No. 10) (hereinafter "the instant action"), Applicants, pursuant to 37 C.F.R. §1.143, hereby elect Invention I (claims 1, 3, 7, 9-15 and 23-29) drawn to PTH analogues that selectively bind to the PTH2 receptor, and, for the purposes of the initial examination, elect the following species:

[Cha<sup>7,11</sup>, des-Met<sup>8</sup>, Nle<sup>18</sup>, Tyr<sup>34</sup>]hPTH(1-34)NH<sub>2</sub> (SEQ ID NO:16)

Applicants submit that the election of Invention I obviates the need to make a further election in response to the third restriction.

The election is made without traverse.

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Applicant : Dong *et al.*  
Serial No. : 09/674,597  
Filing Date : April 9, 2001  
Page No. : 2

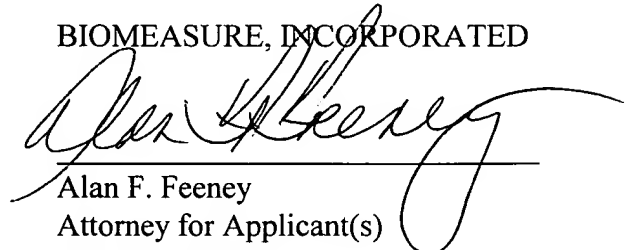
Applicants submit that none of the pending claims after this election need to be amended and that the scope of equivalents of the claims is unaffected. Applicants further state that an amendment of inventorship, as required by 37 C.F.R. §1.48(b), is not necessary.

Should Examiner Wegert deem that any further action be desirable with respect to these matters, she is requested to telephone the Applicant's undersigned representative.

If necessary, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0590.

Respectfully submitted,

BIOMEASURE, INCORPORATED

  
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Reg. No. 43,609

January 23, 2004

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